

Federal Defenders
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September 16, 2010

The Honorable John Gleeson
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: United States v. Mohammed Nabil Amadu, 10-CR-190-JG

Your Honor:

Please accept this letter as the defendant's *second motion in limine* to preclude certain evidence as follows:

1. Digital images of United States currency.

Attached, please find copies of four digital images retrieved from the defendant's laptop computer. The defense moves to preclude admission of these images in the government's case-in-chief, and to preclude use of these images for cross examination of the defendant. The images have no little or no relevance, and are highly prejudicial. FRE 401, 403.

2. Text of a "rap" lyric found on the defendant's iPod.

Below is the text of rap lyric found on the defendant's iPod. The text was disclosed to the defendant on Thursday, September 17, 2010. It the digital file for the lyric is dated February 23, 2010, the same day as the defendant's arrest:

"Still on the same mission/ tryna get that good money and I ain't Quitting/ I an out moves on gain digits /even ma balls ain't hanging lame niggas/ uh/ gotta keeping moving/ I am fucking problem and I never been Houston/ on a hot day we keep it chill just crusing / freestyle the whip off the top rooofless/ imma hustle till die/chasing money and imma keep

running till fly/ I just made 20 thou and imma put it
back inside/ double up take it back and I even press
rewind/ crunch time flow just lil more refine/
canseous flow benine/ these rappers cant catch up they
laggin from behind/ I stay killling em yeah adding
demise/ I like to booze but wanna/ so a popp bottles
go nutta/

The lyric has no probative value and would be unfairly
prejudicial to the defendant. FRE 401, 403.

**3. March 8, 2010 telephone call from Basse Mohammed to the
defendant.**

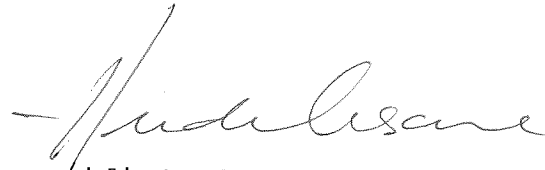
Attached please find a transcript of a March 8, 2010
telephone call from Basse Mohammed to the defendant. The
transcript was prepared by the government and provided to this
counsel on Wednesday, September 15, 2010. The defense does not
stipulate to the accuracy of the transcription or the accuracy of
the translation of the transcription. The substance of Mohammed
Basse's remarks should be precluded as they are difficult to
understand, irrelevant and unfairly prejudicial to the defendant.
FRE 401, 403. The defense further moves to preclude the
telephone call in its entirety on the ground that it was not
timely disclosed to the defense.

**4. Evidence of the defendant's foreign travel,
including, but not limited to prior trips to the
United States.**

The government is in possession of various documents
relating to the defendant's prior trips to the United
States. The defense objects to evidence of this nature on
the ground that his prior trips abroad and to the United
States are not relevant, and would be unfairly prejudicial.
FRE 401, 403. *See, United States v. Afjehei*, 869 F.2d 670,
674 (2d. Cir. 1989) (held that evidence of defendant's
extensive international travels was improperly admitted).

Thank you for your attention.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Heidi C. Cesare".

Heidi C. Cesare, Esq.
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cc: Clerk of the Court (By ECF)
Tyler J. Smith, Esq., AUSA